



# County of Webb

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May 25, 2006

## **Request for Proposals**

### **RFP 2006-17 - DELINQUENT TAX COLLECTION ATTORNEY**

Webb County desires to retain legal counsel to collect delinquent taxes for all years. The County is seeking qualification proposal from firms or individuals experienced in delinquent tax collection.

#### Introduction & Background

Webb County is a political subdivision of the State of Texas and is governed by a Commissioners Court comprised of a County Judge and four (4) County Commissioners

#### Scope of Work

At a minimum, tax attorney will be responsible for providing the following duties and service:

1. Prepare delinquent tax reports to inform the Commissioners Court of the status of the collection efforts according board policy. "Administration" refers, collectively to the Tax Assessor-Collector, County Attorney and County Auditor.
2. Prepare and send such notices to delinquent taxpayers in English and Spanish as may be required by law or as may be advisable for the purpose of expediting collections.
3. Bring lawsuits against delinquent taxpayers to foreclose tax liens and otherwise facilitate collection of delinquent taxes.
4. Advise and represent the County on legal issues that arise in the process of delinquent tax collection.
5. Issue and process tax warrants on personal property February of each year.
6. Call to the attention of the Tax Assessor-Collector any errors, double assessments or other discrepancies coming under observation during the progress of work.

7. Advise Tax Assessor Collector, Commissioners Court and Administration on any legislative updates or changes in property tax law.
8. To intervene on behalf of the County in all suits for taxes filed by any other unit on property located within the County.
9. Attorney agrees to file suit and reduce to judgment and sell any property located within the Webb County against which a tax lien would prevail.
10. Attorney agrees to prepare a report by April 1<sup>st</sup>. of each year showing the status of each delinquent account owing more than \$500.00 or involving three years or more of delinquent property taxes if directed by Commissioners Court.
11. Provide a report to the Tax Assessor/Collector and Auditor on any County money held by them in escrow for more than 30 days. The report will be in a format acceptable to the County Auditor.
12. Submit monthly progress reports to the Commissioners Court, Tax Collector, County Auditor and hold quarterly meetings with Administration, as well as any other progress reports that may be requested by the County.
13. Perform all procedural steps during the course of foreclosing a tax lien on delinquent property pursuant to the Tax Code.
14. Provide annual accredited training to the County Tax Assessor/Collector's office.
15. Provide additional service that the Tax Assessor Collector may deem necessary to expedite and enhance the collection of delinquent taxes.
16. Attend Commissioners Court Meetings as necessary or as requested.

#### To Be Considered

Interested parties must submit **One (1) original and eight (8) copies** of their proposal statements that address all information outlined in this request for proposals - RFP. The original should be marked, "Original" and the copies should be marked, "Copies". Proposal statements must be submitted **no later than 2:00 p.m., Wednesday, June 14, 2006.**

Honorable Margie Ibarra Ramirez  
Webb County Clerk  
Webb County Justice Center  
1110 Victoria Street, Suite 201  
Laredo, Texas 78042

The contents of all proposal statements will remain confidential and are not subject to disclosure to the public until the County Commissioners Court negotiates and approves a final contract with a qualified service provider. RFP's not received by the time set forth in this document will not be considered. Providers wanting to participate will be responsible for insuring the delivery of his/hers respective statements.

The proposal shall include and be formatted as follows:

A. Cover Letter and Cover Page

B. Technical Component

The proposer will convey its understanding of the work to be done by describing and explaining the scope of services it will provide to Webb County. Summary report on your approach and factors you are to consider in accomplishing the service. Include information on the proposed work plan, taxpayer communication program, bankruptcy collection program, delinquent tax suit and pre-suit process, tax sales process and tax seizures process.

C. Management Component

1. Firm name, address, phone number and persons to contact in reference to the statement of proposal. If firm has more than one office, state the location of the firm's office that will be responsible for these services. Describe the composition and legal form/status of the provider.
2. Provide evidence that the respondent has experience in delinquent tax collection services to counties/governmental entities. Include a two (2) year history record of percentage of collections of delinquent tax roll turned over to firm. Also, provide a list of current and past clients to include contact person, telephone number and number of years providing service.
3. Provide evidence of firm's ability to communicate and send correspondence in English and Spanish.
4. State the name(s) and qualifications of the attorneys who will be primarily responsible for delivery of the required services. Describe how the firm will communicate with and deliver services to the County. If the firm is located outside of Webb County, include in the description any special arrangements the firm will make to ensure delivery of quality services in a timely manner.
5. Describe technology support available to the firm that will assist in providing quality, timely and efficient service. The firm's computer hardware and software used to collect delinquent taxes and how the software will interact with the County's computer system.
6. Describe library holdings, periodicals, etc., available to the firm that may assist in the successful delivery of services.

7. Provide any additional data that you wish the County to consider.
8. Provide a copy of your errors and omissions policy and professional liability insurance policy.
9. List the names of any persons employed by or engaged in the management or governing body of Webb County and identify that degree of relationship by consanguinity or affinity. Prospective providers will be required to execute notarized affidavits denying influence to governing body as promulgated by the Texas Attorney General for bidders. The terms of the affidavits will be provided upon request.
10. List all current and past claims brought against your firm and/or persons to be providing services.

#### Evaluation

The Commissioners Court/Administration will evaluate the proposals and judge which are most qualified. The County may call for interviews to discuss or clarify information received in the proposal statements. Participating firms are cautioned that the County is not required to enter into discussions, and may award a contract on the basis of information received in the original proposal statements, without calling for interviews or discussions.

#### Award of Contract

Selection of the Delinquent Tax Collection Attorney will be made by the Commissioners Court at a public meeting posted in conformity with the Texas Open Meetings Act.

#### Term of Delinquent Tax Collection Services Agreement

The County will enter into a three (3) year agreement with the successful firm that may be renewed annually by the Commissioners Court based on performance. Either party shall have the option of terminating the agreement with at least 30 days written notice to the other party.

#### Miscellaneous

1. Successful firm/ individual must provide a procedures manual to the County Auditor and shall be subject to audits.
2. Compensation for services will be based on percentage allowed by the Tax Code section 33.07 approval by Commissioners Court. All expenses related to providing the delinquent tax services, as outlined in scope of services, will be the sole responsibility of the successful firm. Compensation will not exceed the amount actually received by the County from delinquent taxpayers.
3. The County Attorney will assist in the negotiation and must approve the final version of the agreement before its recommendation to the Commissioners Court. The final agreement must comport substantially to the form and content of the agreement endorsed with this package.

4. Proposers are discouraged from lobbying members of the Commissioners Court during the proposal process.

**Questions regarding the request for proposal statements should be directed to County Purchasing Agent, Eloy Ramirez at (956) 523-4125.**

Webb County will not be liable for any costs incurred in the preparation of proposals nor for costs incurred if the County requires an oral interview with respondents. Webb County reserves the right to reject any or all proposals received.

Sincerely,

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Eloy Ramirez  
Purchasing Agent

ATTACHMENT A  
FELONY CONVICTION NOTIFICATION

**Webb County**

TO BE SUBMITTED WITH BID /STATEMENT / QUOTE

FELONY CONVICTION NOTIFICATION

Please check off one box and sign the form in the appropriate space(s):

*I, the undersigned agent for the firm named below, certify that the information concerning **notification** of felony **convictions** has been reviewed by me and the information furnished is true to the best of my knowledge.*

VENDOR'S NAME: \_\_\_\_\_

AUTHORIZED COMPANY OFFICIAL'S NAME (PRINTED): \_\_\_\_\_

A. My firm is a publicly-held corporation, therefore, this reporting requirement is not applicable. Signature of Company Official:

B. My firm is not owned nor operated by anyone who has been convicted of a felony. Signature of Company Official:

C. My firm is owned and operated by the following individual(s) who has/have been convicted of a felony:

Name of Felon(s): \_\_\_\_\_

Details of Conviction(s): \_\_\_\_\_

\_\_\_\_\_

Signature of Company Official: \_\_\_\_\_

ATTACHMENT B  
W-9 - REQUEST FOR TAXPAYER IDENTIFICATION NUMBER AND CERTIFICATION

Request for Taxpayer Identification Number and Certification

Give form to the requester Do NOT send to the IRS.

Name Of a joint account or you changed your name, see Specific Instructions on page 2.)
Business name, if different from above. (see Specific Instructions on page 2.)
Check appropriate box Individual Sole proprietor Corporation Partnership
Address (number, street, and apt. or suite no.)
City, state, and ZIP code
Requester's name and address (000)

Part I Taxpayer Identification Number (TIN)
Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). However, if you are a resident alien OR a
For other entities, it is your employer identification number (EIN). If you do not have a number, see How To Get a TIN on page 2.
Note: if the account is in more than one name, see the Chart on page 2 for guidelines on whose number to enter.
Social security number
Employer identification number
Part II For Payees Exempt From Withholding (See the instructions on page 2.)

Part III Certification
Under penalties of perjury, I certify that:
1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding.
Certification Instructions. -You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 2.)

Sign Here Signature Date

Purpose of Form.-A person who is required to file an information return with the IRS must get your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.
Use Form W-9 to give your correct TIN to the person requesting it (the requester) and, when applicable, to:
1. Certify the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are an exempt payee.
Note: If a requester gives you a form other than a W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.
What Is Backup Withholding?-Persons making certain payments to you must withhold and pay to the IRS 31% of such payments under certain conditions. This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.
If you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return, payments you receive will not be subject to backup withholding. Payments you receive will be subject to backup withholding if:
1. You do not furnish your TIN to the requester, or
2. The IRS tells the requester that you furnished an incorrect TIN, or
3. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
4. You do not certify to the requester that you are not subject to backup withholding under 3 above (for reportable

interest and dividend accounts opened after 1983 only), or

5. You do not certify your TIN when required. See the Part III instructions on page 2 for details.

Certain payees and payments are exempt from backup withholding. See the Part II instructions and the separate **Instructions for the Requester of Form W-9**.

### **Penalties**

**Failure To Furnish TIN.** -If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**Civil Penalty for False Information With Respect to Withholding.** -If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

**Criminal Penalty for Falsifying Information.** - Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

**Misuse of TINs.** -If the requester discloses or uses TINs in violation of Federal law, the requester may be subject to civil and criminal penalties.

## Specific Instructions

**Name.** -If you are an Individual, you must generally enter the name shown on your social security card. However, if you have changed your last name, for instance, due to marriage, without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first and then circle the name of the person or entity whose number you enter in Part I of the form.

**Sole Proprietor.** -You must enter your **individual** name as shown on your social security card. You may enter your business, trade, or "doing business as" name on the **business name** line.

**Other Entities.** -Enter the business name as shown on required Federal the documents. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or "doing business as" name on the business name line.

### Part t-Taxpayer Identification Number (TIN)

You must enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see **How To Get a TIN** below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, using your EIN may result in unnecessary notices to the requester.

**Note:** See the an on *this page* for *further clarification of name and TIN combinations.*

**How To Get a TIN.** -If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form **SS-5** from your focal Social Security Administration office. Get **Form W-7** to apply for an ITIN or **Form SS-4** to apply for an EIN. You can get Forms W-7 and SS-4 from the IRS by calling 1-800-TAX-FORM (1-800-829-3676).

If you do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, you will generally have 60 days to get a TIN and give it to the requester. Other payments are subject to backup withholding.

**Note:** *Writing "Applied For" means that you have already applied for a TIN OR that you intend to apply for one soon.*

### Part II-For Payees Exempt From Backup Withholding

Individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends. For more information on exempt payees, see the separate Instructions for the Requester of Form W-9.

If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding. Enter your correct TIN in Part I. write "Exempt" in Part II, and sign and date the form.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester a completed **Form W-8**, Certificate of Foreign Status.

### Part I11-Certification

For a joint account, only the person whose TIN is shown in Part I should sign (when required).

**1. Interest, Dividend, and Barter Exchange Accounts Opened Before 1984 and Broker Accounts Considered Active During 1983.** You must give your correct TIN, but you do not have to sign the certification.

**2. Interest, Dividend, Broker, and Barter Exchange Accounts Opened After 1983 and Broker Accounts Considered Inactive During 1983.** You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

**3. Real Estate Transactions.** You must sign the certification. You may cross out item 2 of the certification.

**4. O r Payments.** You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade-or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services (including attorney and accounting fees), and payments to certain fishing boat crew members.

**5. Mortgage interest Paid by You, Acquisition or Abandonment of Secured Property, Cancellation of Debt, or IRA Contributions.** You must give your correct TIN. but you do not have to sign the certification.

### Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to give your correct TIN to

persons who must file information returns with the IRS to report Interest, dividends.

and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation and to cities, states, and the District of Columbia to carry out their tax laws. You must provide your TIN whether or not you are required to file a tax return. Payers must generally withhold 31% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply.

**What Name and Number To Give the Requester**

\* List first and last name of the person whose number you furnish. If only one person on a JDM account has an SSN, that person's number must be furnished.

† Circle the minor's name and furnish the minor's SSN.

‡ You must show your individual name, but you may also enter your business "doing business as" name. You may use a then your SSN or EIN if you have one.

§ List first and last name of the legal trust, estate, fiduciary, or pension trust (Do not furnish UTE TIN of the personal representative or trustee unless the legal entity itself is so designated in the account title.)

**Note: If no name is listed, the number will be considered to be that of the trust name listed.**

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account
4. Custodian account of a minor (under the Uniform Gifts to Minors Act)	The UGMA =
5. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee
b. So-called trust account that is not a legal or valid trust under state law	The actual owner
6. Sole proprietorship	The owner
For this type of account:	Give name and EIN of:
5. Sole proprietorship	The owner's legal entity
7. A valid trust estate, or pension trust	
8. Corporate	The corporation or organization
9. Association, club, religious, charitable, educational, or other (not-temporary) organization	
10. Partnership	The partnership
11. A broker or registered nominee	The broker or nominee
12. Account with the Department of Agriculture in the name of a public entity (such as a state or local government school district, a prison) that receives agricultural program payments	The public entity